



# **AGENDA**

## **PLANNING & ZONING BOARD MEETING**

March 11, 2013  
7:00 pm

**Members Present:** Chairman, Richard McNabb; members; Gene Byerly, Harold Hobbs, Ricky Ivey, Lynn Kennedy, Chair Richard McNabb, Don Payne and Jeff Taylor.

**Members Absent:** Jimmy Peace

**Others Present:** Mayor, Carlton Boyles; City Manager, Debbie Hinson; Interim Planning and Zoning Administrator, Rich Baker; Assistant City Clerk, Annette de Ruyter; Council Liaison, Linda Gantt; members of the media, and other interested parties.

### **1. Call to Order**

Chairman McNabb called the meeting to order at 7:00 and welcomed those present.

### **2. Pledge of Allegiance**

Chairman McNabb led the Pledge of Allegiance

### **3. Invocation**

Chairman McNabb gave the Invocation.

### **4. Approve February 05, 2013 Minutes**

*Motion to approve February 05, 2013 minutes by Board Member Payne, with grammatical correction, seconded by Board Member Byerly, and approved unanimously by all Board Members present, with Board member Peace absent.*

#### **4-A. Review, Amend & Approve Agenda**

*Motion by Board Member Ivey to amend the March 11, 2013 Agenda to include the addition of Public Hearing Case Z-2013-02 Rezoning, and seconded by Board Member Kennedy. The amended agenda was approved unanimously by all Board members present with Board member Peace absent.*

#### **Public Hearings**

5. **Public Hearing Case Z-2013-02 Rezoning:** Rezone property located at Lakewood Forest Lots 58-59 further identified as Randolph County tax parcel number 6796690328 from R-40 to R-12.

Mr. Baker provided maps of the property in question to Board members, stating this property consists of two lots and is owned by Wayne Taylor. This request is to consider subdividing the property into three (3) lots.

The property slopes upward to the west, is not located in a flood zone, and sewer is available. Chairman McNabb asked about the location of an outfall located on the property. Mr. Baker advised members that the outfall was located at the end of the property.

There was discussion between member Payne and Mr. Baker regarding the total size of the lot. Mr. Baker responded the lot is .95 acre.

At this time Chairman McNabb opened the Public Hearing.

**Curtis Austin, 2987 Thayer Road, Trinity;** Mr. Austin proposed to build three homes on this property. Each home would be approximately 1344 square feet, with three bedrooms, two baths, kitchen, living room and dining room. The driveway will be gravel. He estimated the homes would sell for approximately \$135,000 dollars.

Mr. Austin stated when these homes are built; it would create 4 full time jobs, for 4 people, for 1 year and would increase the tax value for Trinity.

**Harold Walker, 3838 Greenway Drive, Trinity;** He said that he is not against progress, but is afraid the homes will distract from the neighborhood. He felt that the zoning should stay as is because this neighborhood is an older development and he was concerned that the new homes would not fit in with existing homes. The covenants are still current and expire in 2016.

**Martha Britt, 3922 Woodcrest Dr. Trinity;** Ms. Britt stated she is against building three homes on this property. Her concerns included pond issues due to slope of the properties, and the liability issues that could be created for her in regard to the pond. The land is sloped so that anything that happens on this property will go to the pond. She was also concerned about decreasing property values of all the neighbors adjacent to this

property and felt development of these homes would create a negative effect on the adjoining properties.

Mr. Baker discussed the water runoff and stated the contractor must put up silk cloth to protect the pond.

**Tommy Wilmouth, 6257 Cedar Square Road, Archdale;** Mr. Wilmouth stated that he and his son own property near Mr. Taylor's property. Mr. Wilmouth was totally against three homes being built on this property.

**Trent Wilmouth, 3974 Woodcrest St., Trinity;** It was Mr. Wilmouth's opinion that most lots were two (2) acres each. He was concerned about losing the lake view. He discussed a natural spring located on the property. Another concern of his is the safety for the children on a busy road. He did not think the addition of these new homes would be astatically pleasing in the area.

**Jennifer Langston, 3958 Woodcrest St., Trinity;** One of the main reasons that her family bought the house was for the view of the lake. She is totally against the re-zoning of this property. She felt that the lots are not big enough for three homes.

Mr. Payne asked Mrs. Langston the size of her house. She advised members her home was approximately 2500 square feet. She feels that the lots are not big enough for three houses.

Chairman McNabb closed the Public Hearing.

After a brief discussion between board members, member Kennedy asked the developer if this request was denied, would he consider building one or two homes since the zoning on this property currently allowed 2 homes to be built.

The builder responded that it would not be feasible because of the cost of materials.

***Motion by Board member Ivey to deny the re-zoning request, seconded by Board member Kennedy. The motion to deny was approved 5 to 2. Board member Peace was absent.***

***After the vote, Mr. Payne advised those present why he did not vote to deny this request. It was his opinion this request met all the building requirements in the Ordinance; the City installed sewer for these reasons, and felt the city needed to grow.***

***It was Board Member Kennedy's feelings the city needed to keep in mind the residents who pay taxes in the city. We should follow rules and regulations of the city.***

**6. Comments from the Board**

None

**7. Comments from Staff**

Mr. Baker informed those present this request would be considered by Council on March 19, 2013. He informed the residents that owners within 600 ft. of the property would receive letters about the meeting.

Manager Hinson invited the board and residents to attend the Council meetings. She advised those present the continuation of the City Annual Retreat was scheduled for April 06, 2013 at 8:30 a.m.

**8. Adjourn**

With no other business to discuss, *motion to adjourn the March 11, 2013 Meeting by Board member Byerly at 7:46 p.m., seconded by member Ivey, and approved unanimously by all members present with member Peace absent.*

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*Richard McNabb*  
*Planning and Zoning Board Chair*

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